

Senate Study Bill 1191 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
TRANSPORTATION BILL BY
CHAIRPERSON ZUMBACH)

A BILL FOR

1 An Act prohibiting the use of remotely piloted aircraft flying
2 over farm property, and making penalties applicable.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 715E.1, subsections 1, 2, and 8, Code
2 2025, are amended by striking the subsections.

3 Sec. 2. Section 715E.1, Code 2025, is amended by adding the
4 following new subsections:

5 NEW SUBSECTION. 3A. "*Farm animal*" means an animal belonging
6 to the bovine, caprine, ovine, or porcine species; farm deer as
7 defined in section 170.1; ostriches, rheas, or emus; turkeys,
8 geese, chickens, or other domestic poultry; or a horse, pony,
9 mule, jenny, donkey, or hinny.

10 NEW SUBSECTION. 3B. "*Farm commodity*" means a farm animal,
11 farm crop, or honey.

12 NEW SUBSECTION. 3C. a. "*Farm crop*" means a plant used for
13 food, animal feed, fiber, or oil, including a forage or cereal
14 plant.

15 b. "*Farm crop*" includes but is not limited to alfalfa,
16 barley, buckwheat, corn, flax, forage, millet, oats, popcorn,
17 rye, sorghum, soybeans, sunflowers, wheat, and grasses used for
18 forage or silage.

19 NEW SUBSECTION. 3D. a. "*Farm equipment*" means a device
20 or an attachment to a device designed and manufactured to be
21 principally used for farming, including the production, care,
22 or harvesting of a farm commodity.

23 b. "*Farm equipment*" includes but is not limited to tractors;
24 trailers; combines; tillage, planting, and cultivating
25 implements; balers; irrigation implements; injection and
26 application devices; manure haulers and spreaders; and
27 all-terrain vehicles.

28 NEW SUBSECTION. 3E. a. "*Farm structure*" means a building
29 or other structure used in farming, including the production of
30 farm commodities.

31 b. "*Farm structure*" includes but is not limited to the
32 principal residence of a farmer, a formed or unformed structure
33 that is part of an animal feeding operation as defined in
34 section 459.102 and related pipes and manure stockpiles, a
35 barn, a stable, a storage crib, a structure used to store seeds

1 or grain, an outbuilding, and a shed.

2 NEW SUBSECTION. 3F. "*Farmer*" means the person who is
3 actively engaged in farming as defined in section 9H.1.

4 NEW SUBSECTION. 3G. a. "*Farmstead*" means real property
5 consisting of forty or more contiguous acres, if all of the
6 following apply:

7 (1) The real property is owned or leased by a farmer.

8 (2) The real property is used by the farmer for farming,
9 including the production of a farm commodity.

10 (3) At least fifteen thousand dollars was generated from the
11 sale of farm commodities produced on the real property in the
12 last calendar year.

13 b. "*Farmstead*" includes but is not limited to a crop field
14 or pastureland.

15 c. "*Farmstead*" does not include any real property located
16 within the corporate limits of a city.

17 Sec. 3. Section 715E.1, subsection 9, Code 2025, is amended
18 to read as follows:

19 9. "*Surveillance device*" means a camera or electronic
20 equipment that transmits or records ~~images~~ an image, ~~sounds~~
21 sound, or data if the transmission or recording is capable of
22 reasonably identifying any of the following:

23 a. The ~~identity~~, physical appearance, conduct, or voice of
24 an individual.

25 b. The species of ~~an agricultural~~ a farm animal.

26 c. The type or use of farm equipment.

27 d. The type or use of a farm structure.

28 ~~e.~~ e. The unique physical characteristics of land or an
29 improvement to land.

30 Sec. 4. Section 715E.3, subsection 1, paragraph b, Code
31 2025, is amended to read as follows:

32 b. Controls the flight of remotely piloted aircraft over
33 a secure farmstead area, if the ~~secure farmstead area~~ is
34 not owned or leased by the person, and the remotely piloted
35 aircraft remains ~~over the secure farmstead area~~ within a

1 secured area of four hundred feet surrounding a farm animal,
2 farm equipment, or a farm structure located on the farmstead.
3 However, the secured area shall not include any space that is
4 in the corporate limits of a city.

5 Sec. 5. Section 715E.4, subsection 1, paragraph b, Code
6 2025, is amended to read as follows:

7 b. Controls the flight of a remotely piloted aircraft
8 equipped with a surveillance device over a ~~secure~~ farmstead
9 area, if the ~~secure~~ farmstead area is not owned or leased by
10 the person, and the remotely piloted aircraft remains ~~over the~~
11 ~~secure farmstead area~~ within a secured area of four hundred
12 feet surrounding a farm animal, farm equipment, or a farm
13 structure located on the farmstead. However, the secured area
14 shall not include any space that is in the corporate limits of
15 a city.

16 Sec. 6. Section 715E.5, subsection 1, Code 2025, is amended
17 to read as follows:

18 1. A person who is the owner or lessee of a homestead
19 or ~~secure farmstead area~~ may petition the district court to
20 obtain an order for a temporary injunction to prevent the
21 respondent from using any remotely piloted aircraft equipped
22 with a surveillance device, if a preponderance of evidence
23 indicates that the respondent is harassing the petitioner by
24 controlling the flight of the remotely piloted aircraft over
25 the person's homestead or ~~secure farmstead area~~ in violation of
26 section 715E.3 or 715E.4. The court shall grant the temporary
27 injunction for not more than two years. The court may continue
28 the injunction upon a petition filed by the petitioner with the
29 court prior to the order's expiration.

30 Sec. 7. Section 715E.5, subsection 3, paragraph b,
31 subparagraph (1), subparagraph division (b), Code 2025, is
32 amended to read as follows:

33 (b) The person is an the owner of an agricultural animal a
34 farm animal, farm equipment, or a farm structure that may be
35 identified in the recording.

1 Sec. 8. Section 715E.5, subsection 3, paragraph b,
2 subparagraph (2), Code 2025, is amended to read as follows:

(2) A person cannot claim an ownership interest in a retrievable image, sound, or data that includes an image, sound, or data that may identify another individual, ~~an agricultural animal~~ a farm animal, farm equipment, or a farm structure owned by another person, or land or an improvement owned by another person, unless that other individual or person consents.

10 Sec. 9. Section 715E.6, unnumbered paragraph 1, Code 2025,
11 is amended to read as follows:

12 Sections 715E.3 and 715E.4 do not prohibit a person from
13 controlling a remotely piloted aircraft flying over a person's
14 homestead or ~~secure~~ farmstead area if the person controlling
15 the remotely piloted aircraft is any of the following:

16 Sec. 10. Section 715E.6, subsections 1 and 9, Code 2025, are
17 amended to read as follows:

18 1. A person who acts with the consent of the owner of the
19 homestead or ~~secure farmstead area~~.

20 9. The owner or lessee of the homestead or ~~secure~~ farmstead
21 ~~area~~.

22 EXPLANATION

23 The inclusion of this explanation does not constitute agreement with
24 the explanation's substance by the members of the general assembly.

25 BACKGROUND — GENERAL. 2024 Iowa Acts, chapter 1131,
26 prohibited the use of remotely piloted aircraft (RPA) flying
27 over certain areas, including a homestead or that part of
28 a farmstead where agricultural animals are confined and
29 maintained (Code chapter 715E). An RPA is a self-propelled
30 vehicle used for navigation and flight, is controlled by the
31 use of an electronic system, and is not designed to carry a
32 human. A surveillance device that is part of an RPA refers
33 to a camera or electronic equipment that transmits or records
34 images, sounds, or data from a distance. The location that is
35 part of the farmstead confining and maintaining agricultural

1 animals is referred to as an animal feeding operation. A
2 secure farmstead area includes an animal feeding operation and
3 an additional 400 feet of surrounding real property if both are
4 owned or leased by the same person (Code section 715E.1).

5 BACKGROUND — CRIMINAL OFFENSES. Code chapter 715E created
6 two related criminal offenses. The first offense, referred to
7 as intrusion, is committed when a person knowingly controls the
8 flight of an RPA over either of the two protected locations
9 (Code section 715E.3). The second offense, referred to as
10 surveillance, is committed when a person knowingly controls
11 the flight of an RPA equipped with a surveillance device over
12 either of those same locations (Code section 715E.4). In each
13 case, the applicable criminal penalty is enhanced if a person
14 has been previously convicted of either offense. For a person
15 committing intrusion, the penalty is a simple misdemeanor
16 subject to an enhanced penalty of a serious misdemeanor, and
17 for a person committing surveillance, the penalty is a serious
18 misdemeanor subject to an enhanced penalty of an aggravated
19 misdemeanor. A simple misdemeanor is punishable by confinement
20 for no more than 30 days and a fine of at least \$105 but
21 not more than \$855. A serious misdemeanor is punishable by
22 confinement for no more than one year and a fine of at least
23 \$430 but not more than \$2,560. An aggravated misdemeanor is
24 punishable by confinement for no more than two years and a fine
25 of at least \$855 but not more than \$8,540.

26 BACKGROUND — INJUNCTIVE RELIEF. A person who owns or leases
27 a homestead or secure farmstead area may petition the district
28 court to obtain an order for a temporary injunction to prevent
29 a party from using an RPA equipped with a surveillance device
30 (Code section 715E.5).

31 BACKGROUND — EXCEPTIONS. Code chapter 715E prohibitions
32 do not apply in a number of circumstances based on consent by
33 the location's owner, operation of an RPA in compliance with
34 federal aviation administration regulations, government actions
35 in compliance with an interstate compact, the use of public

1 utilities and railroads, an RPA's high-altitude flight, the use
2 of an RPA to collect scientific information, and a government's
3 exercise of a public road right-of-way.

4 BILL'S PROVISIONS — TERMINOLOGY CHANGE. This bill replaces
5 the term "secure farmstead area", which is defined to include
6 an animal feeding operation, with the term "farmstead". The
7 bill redefines the term "farmstead" to mean at least 40
8 contiguous acres of real property used for farming, subject
9 to certain conditions: (1) the real property is owned or
10 leased by a farmer, defined as a person actively engaged in
11 farming, (2) the real property is used for farming, including
12 the production of a farm commodity, and (3) at least \$15,000
13 was generated from the sale of farm commodities produced on the
14 real property in the last calendar year. The bill establishes
15 a secured area of 400 feet from certain types of property
16 located on the farmstead, which includes a farm animal, farm
17 equipment, or a farm structure. However, the secured area
18 cannot include any space within the corporate limits of a city.
19 An RPA is prohibited from entering into this space, subject to
20 the exceptions that apply to a homestead.

21 BILL'S PROVISIONS — INJUNCTIVE RELIEF. The same right to
22 petition a district court to obtain an order for injunctive
23 relief that applies under current law to the owner or lessee of
24 a homestead or a secure farmstead area applies under the bill
25 to the owner or lessee of a homestead or farmstead.

26 PENALTIES. The same criminal offenses and penalties that
27 protect a homestead and secure farmstead area under current
28 law protect a homestead and a secure farmstead, including a
29 secure animal feeding operation, under the bill, including for
30 intrusion and surveillance.